

**IT IS ORDERED as set forth below:**

**Date: July 5, 2022**



A handwritten signature in black ink, appearing to read "Lisa Ritchey Craig", is written over a horizontal line.

**Lisa Ritchey Craig**  
**U.S. Bankruptcy Court Judge**

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION**

IN RE:

SCOTT WAYNE SUMMEY

Debtor.

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CHAPTER 13

CASE NO.: 18-11040-LRC

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**CONSENT ORDER APPROVING DEBTOR'S  
MOTION TO APPROVE SALE OF REAL PROPERTY**

SCOTT AYNE SUMMEY Debtor in the above styled Chapter 13 case, by and through undersigned counsel, filed her Motion to Approve Sale of Real Property (the "Motion") on June 2, 2022 (Doc. No. 38) seeking authority to sell the real property located at 391 Mill Pond Xing, Unit A2, Carrollton, GA 30116 (the "Property"). The Property is currently subject to one mortgage lien. All interested parties have been served with the Motion, and only the mortgage lender Lakeview Loan Servicing, LLC ("Lender") filed an opposition, but has consented to the entry of this Order which requires that its lien be paid in full.

The Court held a hearing on the Motion on June 28, 2022. Debtor was represented by Howard Slomka, Esq. and Chapter 13 Trustee was represented by Kelsey Makeever, Esq., and Lender was represented by Michelle Hart Ippoliti, Esq. No other party appeared in opposition to the Motion. It appears that there is adequate equity in the Property to pay off the Chapter 13 Plan in full after satisfying the mortgage. It is therefore

ORDERED that the Motion is GRANTED and the Debtor may sell the Property and pay disbursements made as described in the Motion. Debtor's counsel shall deliver a signed copy of the closing statement to the Chapter 13 Trustee within ten (10) days of the closing. All parties, buyers, and closing counsel are entitled to rely upon this order in closing the sale of the Property without further approval of this Court. It is further

ORDERED that **O'Kelley & Sorohan, Attorneys at Law, LLC**, or any subsequent closing attorney, shall pay \$21,000.00 of the net proceeds payable to the Debtor to Melissa J. Davey, the Chapter 13 Trustee, to be disbursed first to priority claims then general unsecured claims, then to remaining secured claims, *pro rata*, pursuant to the terms of the Plan, with an anticipated one-hundred percent dividend to general unsecured creditors. The commission to Debtor's broker (Teresa Renfroe at Mark Spain Real Estate) shall be delivered to Debtor's counsel to hold in trust until this Court approves the employment of the broker. It is further

ORDERED Debtor's counsel shall promptly serve this order upon **O'Kelley & Sorohan, Attorneys at Law, LLC**, or any subsequent closing attorney prior to the closing of the sale. It is further

ORDERED that the Closing Statement shall contain a fee payable to Debtor's counsel in the amount of \$1,000.00 in payment for all motions and appearances related to the sale of the Property, including the employment of the broker. It is further

ORDERED that Creditor shall be permitted to submit an updated payoff demand to the applicable escrow or title company facilitating the sale so that Creditor's Claim is paid in full at the time the sale of the Property is finalized. Creditor shall withdraw its Proof of Claim in this case within 30 days after receiving payment in full at closing. It is further

ORDERED that Creditor's Claim shall be paid off in full or in accordance with any short sale approval authorized by Creditor before satisfying any other lien on the Property. In the event that the sale of the Property does not take place, Creditor shall retain its lien on the Property for the full amount due under the Subject Loan.

[End of Order]

Prepared by:

\_\_\_\_\_/s/\_\_\_\_\_  
Howard Slomka, Esq.  
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Attorney for Debtor  
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CONSENT BY:

\_\_\_\_\_/s/\_\_\_\_\_  
Kelsey Makeever, Esq.  
Georgia Bar No. 371499  
Melissa Davey  
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Distribution List:

All creditors and parties in interest